

September 7, 1999

VETERINARY SERVICES MEMORANDUM NO. 800.50

Subject: Basic License Requirements for Applicants

To: Biologics Licensees, Permittees, and Applicants
Directors, Center for Veterinary Biologics

I. PURPOSE

This memorandum gives guidance on the requirements for obtaining a U.S. Veterinary Biologics Establishment License and a U.S. Veterinary Biological Product License. This memorandum also provides references to applicable sections of Title 9, Code of Federal Regulations (9 CFR).

II. CANCELLATION

This memorandum cancels Veterinary Services Memorandum No. 800.50 dated December 6, 1984.

III. BACKGROUND

Producers of veterinary biologics in the United States must have an establishment license and, for each product, a separate product license. In order to qualify for an establishment license, an applicant must also qualify for at least one product license. This memorandum presents the basic requirements for obtaining these two types of licenses.

These licenses are granted to qualified applicants by the United States Department of Agriculture through the Animal and Plant Health Inspection Service (APHIS). Within APHIS licensing procedures are handled by the Center for Veterinary Biologics (CVB), as indicated below. The regulations governing veterinary biologics appear in 9 CFR parts 101-118. The references given below indicate the regulations in 9 CFR that relate to the submission that is addressed in that section of the memorandum.

IV. ESTABLISHMENT LICENSE REQUIREMENTS

A. Submissions for an Establishment License

1. *Application* - Complete the APHIS Form 2001, Application for United States Veterinary Biologics Establishment License, and submit it to:

Center for Veterinary Biologics
Licensing and Policy Development
510 South 17th Street, Suite 104
Ames, IA 50010-8197

phone (515) 232-5785

Reference: Section 102.3

2. *Articles of Incorporation and Water Quality Statement* - When submitting your completed APHIS Form 2001, enclose articles of incorporation for the applicant and for each subsidiary and a water quality statement for each manufacturing location.

References: Sections 102.3 and 108.11

3. *Plot Plans, Blueprints, and Legends* - Submit plot plans and blueprints of the establishment and legends keyed to the blueprints that list activities and equipment in each room or area to:

Center for Veterinary Biologics
Inspection and Compliance
510 South 17th Street, Suite 104
Ames, IA 50010-8197

phone (515) 232-5785

References: Sections 108.3, 108.4, and 108.5

4. *Personnel Documents* - Licensed establishments must be operated under competent supervision and by competent employees. Complete the APHIS Form 2007, Qualifications of Veterinary Biologics Personnel, and submit two copies of the form for each supervisory employee responsible for essential steps in production, testing, and initial distribution to Center for Veterinary Biologics-Inspection and Compliance (CVB-IC) at the address given above.

References: Sections 102.4 and 114.7

B. Processing of Establishment License Submissions

1. *Incorrect or Inadequate Items* - Center for Veterinary Biologics-Licensing and Policy Development (CVB-LPD) will return incorrect or inadequate items for correction.

2. *Corporate Documents* - CVB-LPD will file acceptable corporate documents pending licensure.

3. *Personnel Documents* - CVB-IC will retain one copy of personnel documents and send one copy to Center for Veterinary Biologics-Laboratory (CVB-L).

4. *Facilities Documents* - CVB-IC will retain one copy of acceptable facilities documents and return one copy to the applicant. CVB-IC will use acceptable facilities documents in conducting a prelicense inspection.

5. *Pertinent Directives* - CVB-LPD will provide copies of pertinent interpretive and procedural directives to applicants with its first written response.

V. PRODUCT LICENSE REQUIREMENTS

A. Submissions for a Product License

1. *Application for a Product License* - An applicant must qualify for at least one product license in order to obtain an establishment license. APHIS will issue the first product license together with the establishment license. APHIS will issue a separate product license for each additional product authorized to be prepared in the establishment. Complete and submit a copy of the APHIS Form 2003, Application for United States Veterinary Biological Product License, for each product you wish to license to CVB-LPD at the address give in section IV. A. 1. above.

Reference: Section 102.3

2. *Outline of Production* - Licensees, permittees, and applicants must prepare each product according to an Outline of Production filed with CVB. Submit each Outline of Production or revision to CVB-LPD for review using a separate APHIS Form 2015, Transmittal of Labels and Circulars or Outlines, as the transmittal form.

References: Sections 114.8 and 114.9

3. *Labels and Claims* - Submit labels and claims to be made on labels and in advertisements for review by CVB-LPD before use. Use APHIS Form 2015 as the transmittal form when submitting labels or sketches.

Reference: Part 112

4. *Supporting Data* - The nature of the product determines the amount of supporting data required. Submit protocols of proposed studies for CVB-LPD review before initiating work. Applicants must demonstrate that their product is pure, safe, potent, and efficacious before receiving a license.

Reference: Section 102.3(b)

5. *Three Consecutive Serials* - Applicants must prepare three consecutive satisfactory prelicense serials. Applicants must prepare the fractions in these serials, if not previously licensed, from separate batches of medium, cells, production serum, eggs, and/or stabilizer according to a filed Outline of Production. When preparing these serials, applicants may combine a single lot of a previously licensed fraction or previously approved diluting fluid, cell culture medium, or stabilizer with the fractions not previously licensed. Applicants may use seed from one production seed lot to prepare the three serials provided they use at least one separate container of seed as inoculum for each serial. The minimum volume of each serial must be approximately equal to one-third that of an average serial as stated in the Outline of Production. The applicant must complete all required tests and submit summaries of test results to CVB-LPD on a copy of the APHIS Form 2008, Veterinary Biologics Production and Test Report. Include all applicable Standard Requirement and special tests written into the filed Outline of Production. Upon review of these completed APHIS Forms 2008, CVB-LPD may authorize the applicant to submit samples of each serial for prelicense testing by CVB-L (as indicated below in V. B. 5.).

References: Sections 113.5, 113.6, and 116.7

6. *Field Tests* - Applicants may be required to conduct field tests, especially to confirm product safety. The required documents when requesting authorization to initiate field studies are specified in 9 CFR 103.3.

Reference: Section 103.3

7. *Recordkeeping* - Applicants are required to have a system of recordkeeping showing all phases of preparation, testing, and initial distribution of biological products to be produced in the establishment.

Reference: Part 116

B. Processing of Product License Submissions

1. *Product License Application* - On acceptance, CVB-LPD will hold product license applications pending completion of all licensing requirements.

2. *Outlines of Production* - CVB-LPD will process Outlines of Production as specified in 9 CFR 114.8. CVB-LPD will send one copy to CVB-L, retain one copy in CVB-LPD, and return all remaining copies to the applicant.

3. *Labels and Sketches* - CVB-LPD will process labels and sketches according to 9 CFR 112.5. CVB-LPD will retain one copy of each approved label, and return one copy to the applicant.

4. *Data* - CVB will process data and send written review findings to the applicant, retain one copy, and send one copy to CVB-L.

5. *Production and Testing Summaries (APHIS Forms 2008)*

a. If the APHIS Form 2008 indicates the applicant's test results for the serial(s) are satisfactory, CVB-LPD will authorize the applicant to send samples for testing to:

Center for Veterinary Biologics-Laboratory
NVSL, BMPS Sample Repository
P.O. Box 844
Ames, IA 50010-0844
or
1800 Dayton Avenue
Ames, IA 50010-9674

b. Applicants should use APHIS Form 2020, Shipment and Receipt of Biologics Samples, as the transmittal form for all samples.

c. CVB-LPD will retain one copy of the APHIS Form 2008 for each serial and send one copy to CVB-L to support a request for testing.

d. CVB-LPD will send the original and one copy of the APHIS Form 2008 to CVB-IC. On issuance of the license, CVB-IC will process the APHIS Form 2008 according to Veterinary Services Memorandum No. 800.53.

References: Sections 113.3 and 113.6

6. *Field Tests* - APHIS will authorize field tests by letter.

a. CVB-LPD will retain one copy of each item submitted.

b. When applicable, CVB-LPD will review the firm's risk assessment and complete the risk analysis process according to NEPA requirements.

c. CVB-LPD will inform other Veterinary Services offices of its actions on the request as appropriate.

d. CVB-LPD will return one date-stamped copy of the experimental label to the applicant.

VI. EXEMPTION FROM FREEDOM OF INFORMATION ACT

If the licensee, permittee, or applicant considers a submission to be exempt from the provision of the Freedom of Information Act (5 USC 552), that submission should include or be accompanied by a statement describing the specific adverse effects they would experience if any portion of the submission were disclosed.

VII. APHIS FORMS

This memorandum is generally distributed as part of a licensing package containing copies of each of the APHIS forms referred to in the memorandum. If you did not receive a licensing package, or need additional copies of any of these forms, you may request the forms needed from CVB-LPD at the address given in section IV. A. 1. above.

/s/

Alfonso Torres
Deputy Administrator
Veterinary Services